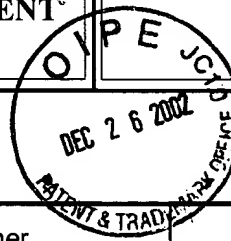


1745

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**  
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.  
PES-0040

In Re Application Of: Molter, et al.



E29  
1/2/03  
#9

Serial No.  
09/965,679

Filing Date  
September 27, 2001

Examiner

Group Art Unit  
1745

Title: APPARATUS AND METHOD FOR MAINTAINING COMPRESSION OF THE  
ACTIVE AREA OF AN ELECTROCHEMICAL CELL

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Address to:  
Assistant Commissioner for Patents  
Washington, D.C. 20231

**37 CFR 1.97(b)**

1. ☐ The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

**37 CFR 1.97(c)**

2. ☒ The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:

☒ the statement specified in 37 CFR 1.97(e);

OR

☐ the fee set forth in 37 CFR 1.17(p).

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**  
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.  
PES-0040

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**APPARATUS AND METHOD FOR MAINTAINING COMPRESSION OF THE  
ACTIVE AREA OF AN ELECTROCHEMICAL CELL**

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**Payment of Fee**

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- ☐ A check in the amount of \_\_\_\_\_ is attached.
- ☒ The Assistant Commissioner is hereby authorized to charge and credit Deposit Account No. 06-1130 as described below. A duplicate copy of this sheet is enclosed.
- ☐ Charge the amount of \_\_\_\_\_
- ☒ Credit any overpayment.
- ☒ Charge any additional fee required.

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I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (F

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**Certificate of Mailing by First Class Mail**

I certify that this document and fee is being deposited December 20, 2002 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

\_\_\_\_\_  
Signature of Person Mailing Correspondence

Tracy A. Sweatt

\_\_\_\_\_  
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\*This certificate may only be used if paying by deposit account.

\_\_\_\_\_  
Signature

Pamela J. Curbelo  
Registration No. 34,676  
Customer No. 23462  
Phone No. (860) 286-2929

Dated: December 20, 2002

CC:

**STATEMENT UNDER 37 CFR 1.97(e) ACCOMPANYING  
INFORMATION DISCLOSURE STATEMENT**

Docket No.  
PES-0040

In Re Application Of: **Molter, et al.**

Serial No.  
09/965,679

Filing Date  
September 27, 2001

Examiner

Group Art Unit  
1745

Invention: **APPARATUS AND METHOD FOR MAINTAINING COMPRESSION OF THE  
ACTIVE AREA OF AN ELECTROCHEMICAL CELL**

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

This is a statement under the provisions of 37 CFR 1.97(e) in the above-identified application.

Check applicable statement herebelow:

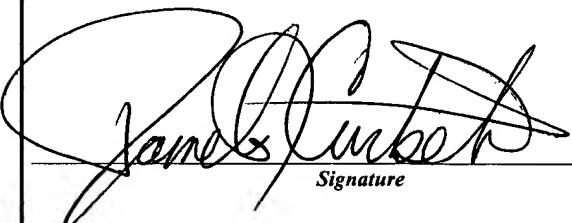
Statement Under 37 CFR 1.97(e)(1)

- ☒ Each item of information contained in the accompanying Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement.

Statement Under 37 CFR 1.97(e)(2)

- ☐ No item of information contained in the accompanying Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned person, after making reasonable inquiry, no item of information contained in the accompanying Information Disclosure Statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

Dated: **December 20, 2002**

  
Signature  
**Pamela J. Curbelo**  
Registration No. 34,676  
Customer No. 23462  
Phone No. (860) 286-2929

**Certificate of Mailing by First Class Mail**

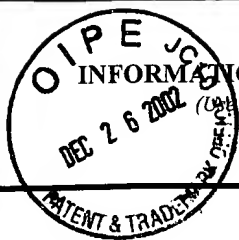
I certify that this document is being deposited on  
**December 20, 2002** with the U.S. Postal Service as first  
class mail under 37 C.F.R. 1.5 and is addressed to the  
Assistant Commissioner for Patents, Washington, D.C.  
20231.

  
Signature of Person Mailing Correspondence

**Tracy A. Sweatt**

Typed or Printed Name of Person Mailing Correspondence

cc:



## INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)

Docket Number (Optional)

PES-0040

Application Number

09/965,679

Applicant(s)

Molter, et al.

Filing Date

September 27, 2001

Group Art Unit

1745

## U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		4,225,654	9/30/1980	Tajima, et al.	429	34	5/7/1979
		5,009,968	4/23/1991	Guthrie, et al.	429	26	9/8/1989
		5,324,565	6/28/1994	Leonida, et al.	428	131	12/17/1992
		2002/0022173	2/21/2002	Molter, et al.	429	37	7/20/2001

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## FOREIGN PATENT DOCUMENTS

	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
							YES	NO
		WO 00/39362	06.07.00	PCT				
		DE 200 08 539	08.04.00	Germany				

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

		International Search Report. Mailing Date November 10, 2002. 7 pages.

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.